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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,480	12/06/2001	Mark John McGrath	282491US8X	3228

22850 7590 03/27/2007
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EXAMINER
CHOWDHURY, NIGAR

ART UNIT	PAPER NUMBER
2621	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/27/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/27/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/006,480	Applicant(s) MCGRATH ET AL.	
	Examiner Nigar Chowdhury	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13,14,16,17,19,20 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13,14,16,17,19,20 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/29/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/21/2007 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 13, 14, 16, 17, 19, 20, 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,833,865 by Fuller et al.
2. Regarding **claim 13**, a camera-recorder apparatus comprising: (Fig. 1, Col. 1 line 29-31):

Art Unit: 2621

- An image capture device operable to capture a plurality of video images (Col. 2 line 53-55)
- A storage medium by which video images are stored for later retrieval (Col. 2 line 1-3)
- A feature extraction unit operable to derive image feature vector data (Col. 2 lines 62-Col. 3 lines 8) from image content of at least one of video images substantially in real time at capture of video images, image feature vector data being associated with respective images (Col. 2 line 5-8) and including color distribution data (Col. 6 lines 51-57, Col. 9 lines 35-39)
- A metadata extraction unit operable to derive image property data from image feature vector data substantially in real time at capture of video images, image property data being associated with respective images or groups of images and including sub shot segmentation data (Col. 2 line 53-Col. 3 line 8, Col. 4 lines 36-46)
- A data path by which camera-recorder apparatus is operable to transfer derived image property data to an external data processing apparatus (Col. 3 line 6-8, Col. 6 line 24-36).

3. Regarding **claim 14**, the apparatus in which image feature vector data includes face recognition data (Col. 2 line 62-Col. 3 line 8)

Art Unit: 2621

4. Regarding **claim 16**, a camera-recorder apparatus comprising: (Fig. 1, Col. 1 line 29-31):

- An image capture device operable to capture a plurality of video images (Col. 2 line 53-55)
- A storage medium by which video images are stored for later retrieval (Col. 2 line 1-3)
- A feature extraction unit operable to derive image feature vector data (Col. 2 lines 62-Col. 3 lines 8) from image content of at least one of video images substantially in real time at capture of video images, image feature vector data being associated with respective images (Col. 2 line 5-8) and including color distribution data (Col. 6 lines 51-57, Col. 9 lines 35-39)
- A metadata extraction unit operable to derive image property data from image feature vector data substantially in real time at capture of video images, image property data being associated with respective images or groups of images, image property data including activity measure data indicative of change of image content or audio content between video images (Col. 2 line 53-Col. 3 line 8, Col. 4 lines 36-46. There is face recognition and speaker id to detect change)
- A data path by which camera-recorder apparatus is operable to transfer derived image property data to an external data processing apparatus (Col. 3 line 6-8, Col. 6 line 24-36).

Art Unit: 2621

5. Regarding **claim 17**, in which image feature vector data includes face recognition data (Col. 2 line 62-Col. 3 line 8)

6. Regarding **claim 19**, a camera-recorder apparatus comprising: (Fig. 1, Col. 1 line 29-31):

- An image capture device operable to capture a plurality of video images (Col. 2 line 53-55)
- A storage medium by which video images are stored for later retrieval (Col. 2 line 1-3)
- A feature extraction unit operable to derive image feature vector data (Col. 2 lines 62-Col. 3 lines 8) from image content of at least one of video images substantially in real time at capture of video images, image feature vector data being associated with respective images (Col. 2 line 5-8) and including color distribution data (Col. 6 lines 51-57, Col. 9 lines 35-39)
- A metadata extraction unit operable to derive image property data from image feature vector data substantially in real time at capture of video images, image property data being associated with respective images or groups of images, image property data includes representative image data being derived from color distribution data (Col. 6 lines 51-57, Col. 9 lines 35-39) and indicative of predominant overall content of video images (Col. 2 line 53-Col. 3 line 8, Col. 4 lines 36-46. By the definition of the

predominant, face recognition and speaker id is most common in the video images)

- A data path by which camera-recorder apparatus is operable to transfer derived image property data to an external data processing apparatus (Col. 3 line 6-8, Col. 6 line 24-36).

7. **Claim 20** is rejected for the same reason as discussed in corresponding claim 17 above.

8. Regarding **claim 22**, a camera-recorder apparatus comprising: (Fig. 1, Col. 1 line 29-31):

- An image capture device operable to capture a plurality of video images (Col. 2 line 53-55)
- A storage medium by which video images are stored for later retrieval (Col. 2 line 1-3)
- A feature extraction unit operable to derive image feature vector data (Col. 2 lines 62-Col. 3 lines 8) from image content of at least one of video images substantially in real time at capture of video images, image feature vector data being associated with respective images (Col. 2 line 5-8)
- A metadata extraction unit operable to derive image property data from image feature vector data substantially in real time at capture of video images, image property data being associated with respective images or groups of images (Col. 2 line 53-Col. 3 line 8, Col. 4 lines 36-46)

Art Unit: 2621

- A data path by which camera-recorder apparatus is operable to transfer derived image property data to an external data processing apparatus (Col. 3 line 6-8, Col. 6 line 24-36)

In which

- Camera-recorder apparatus is operable to capture an audio signal associated with video images (Col. 3 lines 15-17)
- Feature extraction unit is operable to derive audio feature vector data for portions of audio signal associated with at least one of video images (Col. 2 line 62-Col. 3 line 8, Fig. 1 (200), Col. 5 lines 22-31)
- Image property data includes interview detection data indicative of an interview sequence of video images (interview can be any video image with audio, Col. 5 lines 22-31), video images of interview sequence including facial images and audio signal that is associated with video images of interview sequence comprising speech. (Col. 2 line 62-Col. 3 line 8)

9. **Claims 23, 24** are rejected for the same reason as discussed in corresponding claim 17 above.

10. Regarding **claim 25**, the apparatus according to claim 24, in which audio feature vector data comprises speech detection data and metadata extraction unit is operable

Art Unit: 2621

to derive interview detection data from face recognition data and speech detection data
(Col. 2 line 62-Col. 3 line 8)

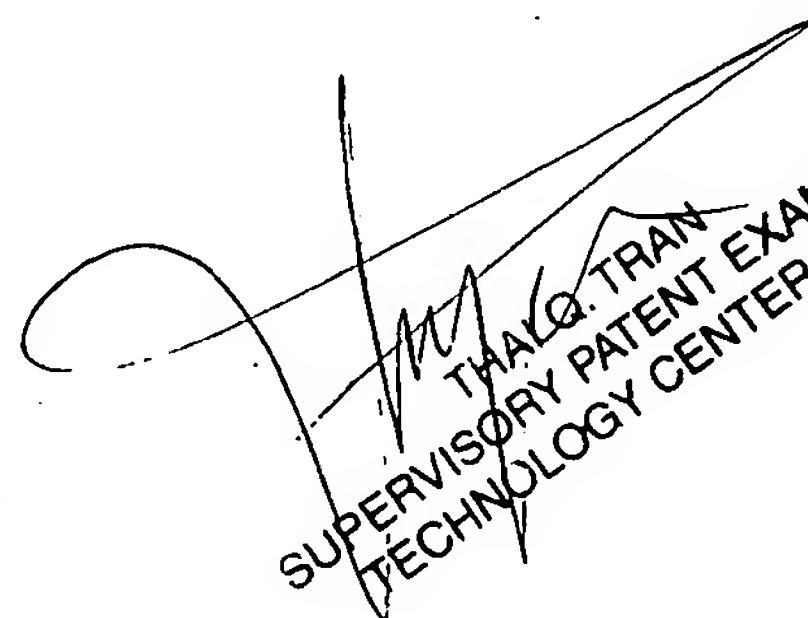
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NC
03/19/2007


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